UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

Andres Fernandez

MOTION AND ORDER DISMISSING THE COMPLAINT WITHOUT PREJUDICE

CASE NUMBER: 16-MJ-978

MOTION FOR AN ORDER DISMISSING THE COMPLAINT WITHOUT PREJUDICE

The United States of America hereby moves to dismiss the complaint without prejudice as to the above named defendant. Counsel for defendant (where applicable), Steven Brounstein, does not oppose this motion.

- [x] Defendant is in custody and should be released.
- [x] Defendant is ~~incarcerated~~ wanted on another ~~matter~~ arrest and should ~~not~~ be released only as set forth below. LKG/MDG
- [ ] Defendant is not in custody and was released on a bond not secured with property.
- [ ] Defendant is not in custody and was released on a bond secured with property.
- [ ] Defendant is not in custody and is not released on a bond.

December 5, 2016
Date

Lindsay K. Gerdes
ASSISTANT U.S. ATTORNEY *Lindsay K. Gerdes*

ORDER DISMISSING THE COMPLAINT WITHOUT PREJUDICE

The United States having moved to dismiss the complaint without prejudice and there being no opposition, the motion to dismiss the complaint without prejudice is granted and any outstanding underlying warrants are hereby vacated.

❑ ***The United States must cooperate with defendant or his counsel in promptly executing all documents necessary to vacate any liens recorded against property and sureties securing the bond.*** N/A

SO ORDERED.

12/5/16
Date

S/ Marilyn Go
UNITED STATES MAGISTRATE JUDGE
Hon. Marilyn D. Go

TO: THE UNITED STATES MARSHAL FOR THE EASTERN DISTRICT OF NEW YORK

- [x] ***It is further Ordered that the United States Marshals Service for the Eastern District of New York release the above named defendant.*** to the FBI and NYPD on an arrest warrant charging the defendant with murder 2. MDG
- [ ] ***It is further Ordered that the United States Marshals Service for the Eastern District of New York not release the above named defendant since he is incarcerated on another matter.***

12/5/16
Date

S/ Marilyn Go
UNITED STATES MAGISTRATE JUDGE
Hon. Marilyn D. Go